



U.S. Immigration
and Customs
Enforcement

May 18, 2006

News Release

Six people indicted in multi-state amnesty fraud conspiracy

Atlanta, GA — EMMA GERALD, 54, of Kennesaw, RUY BRASIL SILVA, 49, of Roswell, MARCOS AMADOR, 19, of Atlanta, DENISE SILVA, 45, of Roswell, DOUGLAS ROSS, 29, of Marietta, and HUDSON ARAUJO, 27, of Brockton, Massachusetts, were indicted by a federal grand jury on May 9, 2006, on charges of conspiracy to encourage and induce aliens to reside unlawfully in the United States and to make false statements in applications presented to the Department of Homeland Security (DHS). EMMA GERALD, RUY BRASIL SILVA, and MARCOS AMADOR are charged in separate counts for making false statements in applications presented to DHS. EMMA GERALD is also charged with two counts of money laundering.

ROSS was arraigned today in Atlanta. ARAUJO was taken into custody by federal agents in Brockton, Massachusetts, and had his initial appearance in federal court in Boston today. DENISE SILVA is a fugitive being sought by federal law enforcement authorities. GERALD, RUY BRASIL SILVA, and AMADOR were indicted on related charges on February 14, 2006. GERALD was released on a secured bond and RUY BRASIL SILVA and AMADOR are in custody. Their arraignments on this indictment have not yet been scheduled.

United States Attorney David E. Nahmias said, "The six individuals indicted in this conspiracy were involved in a multi-state scheme to solicit immigrants who were illegally present in the United States to file fraudulent applications for amnesty with the Department of Homeland Security. The defendants, as part of a moneymaking scheme, allegedly assisted immigrants who did not meet legitimate amnesty program requirements to file applications containing false statements. This office is committed to vigorous investigation and prosecution of schemes such as this one, as part of the President's initiative to strengthen enforcement of the Nation's immigration laws."

"Not only did these individuals seek to exploit our legal immigration system for personal financial gain, they used their positions as religious leaders to prey upon the immigrant community," said Ken Smith, Special Agent-in-Charge of ICE's office of Investigations in Atlanta. "The case highlights the importance of ICE's close partnerships with other law enforcement agencies as we seek to dismantle criminal document and benefit fraud networks."

According to United States Attorney Nahmias, the charges and other information presented in court: EMMA GERALD, the pastor of a local church, held herself out as a consultant to aliens seeking amnesty in the United States. GERALD did business under the name "EJ Consulting Services."

Under a program known as the "Catholic Social Services/Lulac/Newman Amnesty Program" (the "CSS Amnesty Program"), certain aliens who were illegally in the United States were eligible to apply for temporary residence in this country. In order to be eligible, an alien had to meet certain requirements, including having been present in the United States unlawfully from prior to January 1982; and having previously applied for temporary residence but having been turned down because the alien left and re-entered the United States without the permission of the now-defunct Immigration and Naturalization Service (INS).

GERALD conducted meetings at Marietta churches to solicit aliens, largely Brazilian nationals who were illegally present in the United States, to apply for the CSS Amnesty Program. RUY BRASIL SILVA was a pastor of one of the churches and made it available to GERALD for the meetings. MARCOS AMADOR acted as a translator and assistant to GERALD. GERALD advised the Brazilian aliens that the Department of Homeland Security did not have records to establish whether an alien met the CSS Amnesty Program requirements as to length of residence in the United States or previous unsuccessful application for amnesty, so that they could apply even if they did not qualify. Over the course of the scheme, GERALD charged the aliens between \$300 per person/ \$500 per married couple to approximately \$600 per person/ \$1100 per married couple. For an extra fee, GERALD and AMADOR would provide the aliens with letters falsely stating that they met the program requirements as to length of residence and previous application for amnesty. DOUGLAS ROSS, GERALD's son, attended the meetings, assisting GERALD with preparing and collecting applications and collecting money from the aliens.

GERALD, RUY BRASIL SILVA, AMADOR, ROSS, and DENISE SILVA conducted similar meetings in Florida, collecting money from Brazilian aliens to assist them in filing fraudulent applications. GERALD, ROSS, and HUDSON ARAUJO conducted meetings in Brockton, Massachusetts.

The United States is seeking forfeiture of GERALD's Kennesaw, Georgia home and several vehicles, including GERALD's Mercedes-Benz automobile, on the grounds that they were purchased with proceeds of the criminal scheme or were used to facilitate the criminal activity. The United States is also seeking forfeiture of several bank and investment accounts, on the grounds that criminal proceeds were deposited into the accounts.

The indictment charges one count of conspiracy against all the defendants, one count of false statement against GERALD and AMADOR, one count of false statement against GERALD and RUY BRASIL SILVA, and two counts of money laundering against GERALD. The conspiracy charge and false statement charges each carry a maximum sentence of 5 years in prison and a fine of up to \$250,000. The money laundering charges each carry a maximum sentence of ten years in prison and a fine of up to \$250,000.

This case is being investigated by special agents of the Department of Homeland Security, U.S. Immigration and Customs Enforcement, and postal inspectors of the United States Postal Inspection Service.

Assistant United States Attorneys Teresa D. Hoyt and Jon-Peter Kelly are prosecuting the case.

Members of the public are reminded that the indictment contains only allegations. A defendant is presumed innocent of the charges and it will be the government's burden to prove a defendant's guilt beyond a reasonable doubt at trial.

ICE

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.